

Exhibit 1

(REDACTED)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ARM, LTD.)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 22-1146 (MN) (LDH)
)	
QUALCOMM INC., QUALCOMM)	
TECHNOLOGIES, INC., and NUVIA, INC.)	
)	
Defendants.)	

**DECLARATION OF TIMOTHY A. KIRBY IN SUPPORT OF NON-PARTY APPLE
INC.'S MOTION FOR PROTECTIVE ORDER OR, IN THE ALTERNATIVE, MOTION
FOR RECONSIDERATION**

I, Timothy A. Kirby, declare as follows:

1. I am over the age of 18, and am the Senior Director, Global Sourcing and Supply Management, at Apple Inc. I have been employed by Apple since 2009. If called as a witness, I could and would testify competently to the information set forth in this Declaration.

2. I make this declaration in support of Non-Party Apple Inc.'s Motion for a Protective Order or, in the alternative, Motion for Reconsideration. I am familiar with, participated in the negotiation of, and have reviewed the 2023 Architecture License Agreement between Apple and ARM, Ltd. (the "2023 Apple ALA").

3. [REDACTED]

4. The 2023 Apple ALA is a [REDACTED].

5. The 2023 Apple ALA contains Apple trade secrets including commercially sensitive information about [REDACTED]

[REDACTED]
[REDACTED] that were negotiated under competitive and highly confidential conditions.

6. Any information about Apple's unreleased products is a trade secret that is treated with the utmost sensitivity within Apple.

7. The 2023 Apple ALA is among the most commercially sensitive documents maintained by Apple, and is subject to stringent confidentiality obligations to protect the trade secrets contained therein.

8. The 2023 Apple ALA is not distributed outside of Apple, and even within Apple, access to the agreement is closely guarded and is only distributed narrowly to limited personnel who have a specific business need to know its contents.

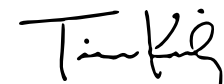
9. Apple would suffer significant competitive injury if the 2023 Apple ALA were produced to Qualcomm for many reasons, but specifically because Qualcomm is one of Apple's component suppliers, and I understand that Qualcomm is also a component supplier for Apple's competitors.

10. As the Senior Director, Global Sourcing and Supply Management, for Apple, my organization within Apple negotiates agreements like the 2023 Apple ALA with Qualcomm, and I am generally familiar with these types of agreements.

11. Were Qualcomm to learn the terms of the 2023 Apple ALA, that would be unfairly advantageous to Qualcomm in its business dealings with Apple, Apple's competitors, and ARM.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Executed this 17th of October, 2023, at Cupertino, California.



Timothy A. Kirby
Apple Inc.